

UNITED STATES DISTRICT COURT
for the
Northern District of New York

United States of America

v.

Timothy M. McGinn

Case No: DNYN112CR00028-001

USM No: 19470-052

Date of Original Judgment: 08/07/2013

Date of Previous Amended Judgment: 09/08/2015

(Use Date of Last Amended Judgment if Any)

Pro Se Defendant

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of [X] the defendant [] the Director of the Bureau of Prisons [] the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

[X] DENIED. [] GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

REASON FOR MOTION DENIAL

The defendant is not eligible for a sentence reduction because he does not meet all of the criteria to qualify as a Zero Point Offender. Specifically, he personally caused substantial financial hardship.

Except as otherwise provided, all provisions of the judgment dated 09/08/2015 shall remain in effect.

IT IS SO ORDERED.

Order Date: August 2, 2024

Effective Date: (if different from order date)

Handwritten signature of David N. Hurd
David N. Hurd
U.S. District Judge